INVESTIGATIVE SUMMARY

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USE OF FORCE - HEAD STRIKE (PERSONAL WEAPONS), OC SPRAY
IAB CASE NUMBER FO2251352
URN NUMBER 009-01460-5800-145

On September 1, 2009, at approximately 1010 hours, Twin Towers Correctional Facility (TTCF) deputies were involved in a use of force resulting in a head strike with personal weapons, control techniques and OC spray. Investigators did not immediately respond to TTCF due to the belief the inmate's injuries did not meet the criteria for an immediate response. After it was learned the inmate required reconstructive surgery to repair a fractured orbital and cheek, investigators responded to TTCF and learned the following:

Inmate Randall Carr (Booking #2018223) was in the process of being declassified to general population. While waiting in the ABC outdoor recreation area, Deputy Jason Johnson attempted to explain the procedure to Inmate Carr. Without warning, Inmate Carr punched Deputy Johnson in the mouth. Deputy Johnson stepped backwards from the punch, regained his balance, and punched Inmate Carr in the face three times. Inmate Carr leaned forward and grabbed Deputy Johnson around the waist. Deputy Johnson pushed Inmate Carr away and punched him one more time in the face.

Deputy Becerra grabbed Inmate Carr's shoulders and bent him at the waist. Deputy Becerra kneed Inmate Carr in the rib area four times with his left knee, which caused the inmate to bend further at the waist. Deputy Becerra grabbed Inmate Carr's left shoulder and pushed him to the ground. Inmate Carr landed on his side, but then quickly turned over to his back. From the ground, Inmate Carr kicked and swung at the deputies with his hands and feet.

Deputy Becerra gave verbal commands for Inmate Carr to roll onto his stomach and place his hands behind his back. Inmate Carr ignored the commands and attempted to kick Deputy Becerra in his knees. Deputy Johnson attempted to gain control over Inmate Carr's arms, as Inmate Carr punched at Deputy Johnson. Deputy Becerra punched Inmate Carr four times in his face and three to four times in his stomach to prevent Inmate Carr from striking Deputy Johnson. The strikes had a minimal effect. Deputy Johnson was able to turn Inmate Carr onto his stomach. Once on his stomach, Inmate Carr held his arms underneath his body. After refusing verbal commands, Deputy Becerra sprayed Inmate Carr in the face with a two to three second burst of O.C. spray. The O.C. spray had immediate effect and Inmate Carr complied with handcuffing, without any further incident or force.

The summary of this incident is based on information obtained from reports, deputy, witness, and suspect interviews along with other documents regarding Twin Towers Correctional Facility file number 009-01460-5800-145 (***Exhibits A through D***).

INVOLVED PERSONNEL

JOHNSON, Jason, Deputy Sheriff, [redacted]
Custody Division
Twin Towers Correctional Facility

Work History

Date of Employment	06/27/2007
Date Assigned to Custody	10/01/07 TTCF
Prior Founded Force Incidents	[redacted]

BECERRA, Israel, Deputy Sheriff, #[redacted]
Custody Division
Twin Towers Correctional Facility

Work History

Date of Employment	06/05/06 (Rio Hondo Academy)
Date Assigned to Custody	06/05/06 TTCF
Prior Founded Force Incidents	[redacted]

SUBJECT

CARR, Randall, MB/42, DOB: 02/28/67, Booking #2018223

[redacted]

Suspect Carr's criminal history (CCHRS) shows he has [redacted] Refer to **Exhibit "A"** for further information.

SWORN WITNESSES

HANCOCK, JR, Ronald, Deputy Sheriff #[redacted]
Custody Division
Twin Towers Correctional Facility

Work History

Date of Employment	05/01/06 (Fullerton College Police Academy)
Date Assigned to Custody	05/01/06 TTCF
Prior Founded Force Incidents	 [redacted]

CIVILIAN WITNESSES

None

INJURIES

Suspect Carr received an approximately 2.2 cm laceration to his left cheek, 0.3 cm superficial laceration near his left eyebrow, swelling to his right periorbital area, lips, right side of his forehead and bridge of his nose. Additional medical evaluations at Los Angeles County Medical Center (LCMC) determined Inmate Carr sustained a fracture to his left cheek area and orbital socket, which required reconstructive surgery. He did not complain of any other injuries.

Deputy Johnson sustained a small laceration to the inside of his bottom lip.

Deputy Becerra sustained a small abrasion to the right knuckle on his right hand.

PHYSICAL EVIDENCE

None.

INVESTIGATOR OBSERVATIONS

IAB Investigator responded to Men's Central Jail on October 6, 2009, observed healing injuries on Inmate Carr and took photographs of the location. Refer to **Exhibit "E"** for photographs.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Jason Johnson: Personal Weapons (fists)

Deputy Israel Becerra: Personal Weapons (fists, knees), O.C. spray.

WEAPONS USED BY SUSPECT

Fists and feet.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATOR/CHARGES FILED

Jail Investigative Unit (JIU) Detective Tia Taylor filed 243(b) P.C. charges against

Suspect Carr on 10/01/09 at Criminal Courts Building, the case was a DA Reject due to the inmate's prior state prison sentencing and minor injuries to deputies.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during the daylight hours in the module's outdoor recreation area.

INVOLVED EMPLOYEE STATEMENTS

JOHNSON, Jason

Deputy Jason Johnson was interviewed on Wednesday, October 14, 2009, at approximately 1315 hours by Internal Affairs Bureau Sergeants Jessica Brothers and David Bly at Internal Affairs Bureau. The interview was tape recorded. The following is a summary of that interview.

Deputy Johnson said he was working as the Overlap Deputy in Module 161 on September 1, 2009. At approximately 1010 hours, Deputy Johnson said he was preparing to move several inmates from Module 161 to general population. Deputy Johnson stated during this time, Inmate Carr was told to gather his property and wait in the staging area.

IAB Note: Twin Towers' Module 161 is a mental health module and houses inmates who are under psychiatric care and cannot be housed in general population.

IAB Note: The module staging area is an unsecure area which is adjacent to both the ABC and DEF outdoor recreation areas, as well as the Mental Health offices. See Exhibit "E" for photograph of area.

Deputy Johnson said he was working at a module computer when he was told by Deputy Becerra, who was also working in Module 161, that Inmate Carr wanted to know more about his medication and transfer out of the module. Deputy Johnson said he saw Inmate Carr walking toward the ABC outdoor recreation area. Deputy Johnson stated he and Deputy Becerra followed Inmate Carr into the recreation area.

IAB Note: Deputy Becerra began placing milk crates into the recreation area supply closet when Deputy Johnson was speaking with Inmate Carr.

Deputy Johnson said he asked Inmate Carr what was wrong and Inmate Carr stated he wanted to know why he wasn't going to get medication. Deputy Johnson said he explained to Inmate Carr that he would still receive his medication at pill call. Deputy

Johnson said he could tell that Inmate Johnson was aggravated and was cussing, but he did not say anything directly to Deputy Johnson.

Deputy Johnson said he told Inmate Carr to turn around, so he could not watch Deputy Becerra putting supplies away and Inmate Carr complied. Deputy Johnson stated he momentarily looked toward Deputy Becerra and Inmate Carr punched him (Johnson) in the mouth. Deputy Johnson said, "It made me like stumble back, not far, but like a step back or so and I was dazed for like a second."

Deputy Johnson said he looked back at Inmate Carr and saw him coming toward him with his hands out, as if to grab him around the waist. Deputy Johnson stated he punched Inmate Carr in his face three times, in quick succession with both his right and left fists, striking the left side of Inmate Carr's face, his nose and his chin. Deputy Johnson said Inmate Carr appeared to pause for a moment, but then he grabbed Deputy Johnson around his waist. Deputy Johnson said he put both of his hands on Inmate Carr's shoulders, pushed him back and punched Inmate Carr once in his face.

Deputy Johnson said he saw Deputy Becerra grab Inmate Carr, pull him by his shoulders and knee him. Deputy Johnson said he and Deputy Becerra each told Inmate Carr to stop fighting, but he did not comply. Deputy Johson said, "I remember my partner was telling him, you know, to stop fighting when he kneed him, and it looked like he was pulling away from him. So he threw him down on the ground and he fell over, like on his side and went to his back and immediately kicked his legs, or kicked his foot up at us."

Deputy Johnson said Deputy Becerra knelt on one side of Inmate Carr and he (Johnson) took a knee on his left side. Deputy Johnson said, "As soon as I got down on the ground when he was kicking, he tried to elbow me with his left arm and I stopped it with my right and I grabbed him and held his arm down by his chest." Deputy Johnson said he gave several verbal commands to Inmate Carr to stop fighting. He said he also heard Deputy Becerra make several verbal commands for Inmate Carr to stop fighting and roll over onto his stomach.

IAB Note: During this struggle with Inmate Carr, Deputy Johnson heard Deputy Becerra's radio beep as he tried to say something over the radio. Deputy Johnson said the radio beep indicated the battery was dead.

Deputy Johnson said, "I think my partner eventually was able to get his knee on most of his leg to hold him down. And I was trying to turn him over, so I kneed him in the rib cage on his left side with my right knee, I think. I had my right knee on his rib cage and then one of his kicks, I caught his leg with my left arm. I was able to pull him over to his stomach."

Deputy Johnson said Inmate Carr immediately placed both of his hands underneath his body to avoid being handcuffed. Deputy Johnson stated he heard Deputy Becerra tell Inmate Carr to put his hands behind his back or he would be sprayed (with OC spray). Inmate Carr did not comply, so Deputy Becerra sprayed him in his face. Deputy Johnson said the OC spray had an immediate effect on Inmate Carr, who placed his hands behind his back and was handcuffed by Deputy Becerra without further incident.

Deputy Johnson said he received a small laceration to the inside of his lip (left side) as a result of the altercation. The injury did not require medical treatment.

IAB Note: See Exhibit "E" for photograph of injury.

IAB Note: See Exhibit "A" for the first report authored by Deputy Johnson.

IAB Note: For further information, refer to Deputy Johnson's IAB verbatim transcript.

BECERRA, Israel

Deputy Israel Becerra was interviewed on Wednesday, October 14, 2009, at approximately 1340 hours by Internal Affairs Bureau Sergeants Jessica Brothers and David Bly at Internal Affairs Bureau. The interview was tape recorded. The following is a summary of that interview.

Deputy Becerra said he was working as one of the Module 161 deputies on September 1, 2009. At approximately 1010 hours, Deputy Becerra said he was supervising inmates with Deputy Johnson in the DEF outdoor recreation area and Deputy Johnson told him that Inmate Carr was sitting on the stairwell in the staging area waiting to be declassified into general population. Deputy Becerra said he grabbed a blue county-issue shirt from the laundry bin and gave the shirt to Inmate Carr.

IAB Note: Blue shirts are worn by inmates in general population at Twin Towers Correctional Facility. Inmates assigned to mental health housing wear yellow shirts.

Deputy Becerra said Inmate Carr removed his yellow shirt, looked at the blue shirt and indicated to Deputy Becerra he didn't want to wear the blue shirt because it was wrinkled. Deputy Becerra stated Inmate Carr placed the blue shirt on the stairwell railing, but Deputy Becerra handed the shirt back to Inmate Carr and told him he had to wear it because he was being declassified into general population. Deputy Becerra said Inmate Carr placed the shirt on his lap and asked him why he was being declassified if he was taking medication. Deputy Becerra said he explained to Inmate

Carr that he would still receive his medication at his new housing. Deputy Becerra said Inmate Carr began to recite his prescribed medications and asked to speak with Deputy Johnson about his transfer. Deputy Becerra stated he told Inmate Carr to wait inside the ABC outdoor recreation area for Deputy Johnson.

Deputy Becerra said he notified Deputy Johnson, who was standing inside the DEF outdoor recreation area, that Inmate Carr wanted to speak with him about his transfer to general population. Deputy Becerra said he and Deputy Johnson followed Inmate Carr into the ABC recreation area.

Deputy Becerra said Inmate Carr stopped to the right side of the outdoor recreation area door, near the windows that face the module staging area. Deputy Becerra said Deputy Johnson walked over to Inmate Carr and began explaining the process of being declassified. Deputy Becerra said Inmate Carr was cooperative and the conversation between Inmate Carr and Deputy Johnson appeared to be calm. Deputy Becerra said he noticed some milk crates and a mop bucket were left out by trustees, so he began to secure the crates inside the recreation area supply closet.

Deputy Becerra stated he bent down to pick up the milk crates and he saw Inmate Carr suddenly punch Deputy Johnson in the face. Deputy Becerra stated he saw Deputy Johnson take a step back after the punch, so he dropped the crates and ran over to assist Deputy Johnson. Deputy Becerra said, "From there, his back was towards me, so I grabbed hold of his shoulders with both of my hands and bent him down. He bent down and I kneed him (Carr) three or four times on the left side of the rib area with my left knee. So that caused him to bend forward more from the waist, so I grabbed hold of his left shoulder, pulled him down again, and pushed him onto the ground."

Deputy Becerra said, "And then when he fell to the ground, he fell on the side and rolled over onto his back. And at that time I ordered him, you know, roll onto your stomach and place your hands behind your back. He ignored my commands and he started kicking towards my knees and I just happened to step back and avoided his kicks. At that time, I saw Deputy Johnson kneel down to the left side of his body in an attempt to get a hold of his arms and at the same time, I saw Inmate Carr throw his left arm over his face, as if to hit him, and I saw Deputy Johnson block it. And then in his (Johnson's) defense, since I was already kind of bending down, since I threw him on the ground, I punched him (Carr) four times in the face."

Deputy Becerra said he continued to give Inmate Carr commands to stop fighting, but Inmate Carr continued to kick his legs at Deputy Johnson. Deputy Becerra said he placed his right knee on Inmate Carr's legs to prevent him from kicking, but Inmate Carr twisted his body from side to side in an attempt to break free from the deputies. Deputy Becerra said, "At that time, I saw an opportunity and I punched him in the stomach four times." Deputy Becerra stated his punches were in an attempt to knock the wind out of Inmate Carr.

Deputy Becerra said, "Somehow Deputy Johnson managed to put him over onto his stomach and I tried to hold up his right arm, which was underneath his body. When I tried to do so, he tensed up his arm and prevented me from trying to reach over his arm. So I told him, stop fighting, give up your hands. He didn't listen, so I told him again, stop fighting or I'm gonna pepper spray you. He still had both his hands underneath his body, at which time I removed my pepper spray and I sprayed him in the face. After I sprayed him, he gave up his hands and we were able to handcuff him."

Deputy Becerra said he attempted to put out radio traffic about the deputy-involved fight after he secured Inmate Carr, but it beeped as an indication it had a low battery and would not transmit.

IAB Note: In Deputy Johnson's IAB interview, he said Deputy Becerra attempted to put out radio traffic prior to securing the inmate.

Deputy Becerra said he received a small abrasion to a knuckle on his right hand as a result of the altercation with Inmate Carr.

IAB Note: See Exhibit "E" for photograph of injury.

IAB Note: See Exhibit "A" for the supplemental report authored by Deputy Becerra.

IAB Note: For further information, refer to Deputy Becerra's IAB verbatim transcript.

WITNESSES STATEMENTS

Sworn Witnesses

HANCOCK Jr., Ronald

Deputy Ronald Hancock was interviewed on Thursday, October 22, 2009, at approximately 0820 hours by Internal Affairs Bureau Sergeant Jessica Brothers at Twin Towers Correctional Facility. The interview was tape recorded. The following is a summary of that interview.

Deputy Hancock said he was in the Module 161 staging area, when he heard an altercation coming from the ABC outdoor rec area. Deputy Hancock described hearing keys jingle and verbal commands to "stop fighting" coming from the ABC outdoor recreation yard. Deputy Hancock said he recognized the sounds as coming from a deputy-involved fight. Deputy Hancock said he immediately put out radio traffic as he ran into the ABC recreation yard.

Deputy Hancock said he entered the ABC recreation yard and saw Inmate Carr was on the ground and handcuffed, and the fight appeared to be over. He said he put out a "Code 4" over the radio.

Civilian Witnesses

None

SUSPECT STATEMENTS

CARR, Randall

On September 1, 2009 TTCF Watch Commander Lieutenant Elisabeth Sachs conducted a videotaped interview with Inmate Randall Carr, following the altercation with deputies. On Tuesday, October 6, 2009, at approximately 0930 hours, Inmate Carr was interviewed by Internal Affairs Bureau Sergeants Jessica Brothers and David Bly at Men's Central Jail. The interview was tape recorded. The following is a summary of both interviews.

Inmate Carr said on September 1, 2009, he was called by the deputies because he was going to be declassified out of the mental health module. He said he told the deputies he needs his medication and should stay in Module 161. Inmate Carr said he asked for an Inmate Complaint form and to see the "head psych," but instead, he was told to sit on the stairs in the staging area.

Inmate Carr said a Hispanic deputy threw a shirt at him and hit him in the face with it. Inmate Carr said, "Man, you know I'm A.D.A. man. You know you can get in trouble, man, for hitting somebody disabled, man." Inmate Carr said the deputy called two other deputies over and they started whispering. One of the deputies cut Inmate Carr's wristband off and told him to stand up and put his hands behind his back. Inmate Carr said he complied and then the deputies walked him into the "yard." Inmate Carr said

During his videotaped interview with TTCF Watch Commander Elisabeth Sachs, Inmate Randall Carr stated he was told to "roll it up." He complied, but when he came out of his housing area, he told a deputy he had not received his medication. He also requested an inmate complaint form from the deputy because he wanted to see a psychologist and sergeant. The deputy began hitting Inmate Carr in the face with a blue shirt. The deputy also handcuffed Inmate Carr, placed him in the yard, and started to beat him.

When asked to clarify his statements, Inmate Carr said he was told to sit on the stairs. When he asked for a complaint form to see the psychologist, the deputy hit him. Inmate Carr attempted to explain to the deputy he had not taken any medication in the last three weeks. In the mean time, the deputy handed him a blue county jail shirt.

Inmate Carr told the deputy the shirt was "tore up." He also said he was feeling depressed. Inmate Carr said the deputy started hitting him with the shirt. The deputies took Inmate Carr to the yard. Inmate Carr stated there were three to four custody personnel beating him once they got to the outdoor recreation yard. He described them as two Hispanic and one Caucasian, but he did not describe the other person. Inmate Carr said the beating lasted five to ten minutes.

Inmate Carr added additional information regarding the altercation. He said he was first handcuffed, then hit in the head, fell to the ground and was hit on the side of his head. While he was on the ground, he said he was kicked in the ribs by custody personnel. To protect himself, he began to cover his face with both hands and laid in a fetal position. After a few moments, Inmate Carr changed his story and said he was not handcuffed, but was placed in the outdoor recreation area. He said he had his feet kicked out while he was standing near the glass wall. He was then hit and fell to the floor. Inmate Carr said he was then kicked in the head, cheek and "pounded" in the face a lot of times. When asked if he remembered custody personnel saying anything to him, he said they told him, "You should have put the shirt on." Inmate Carr said he pleaded to custody personnel, "Please stop, I didn't do nothing wrong." Inmate Carr complained of pain to his lower back. He also said he was sprayed in the face after he received the beating.

IAB Note: See Exhibit "D" for DVD and videotaped interview from September 1, 2009.